

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/619,855	JACKSON ET AL. <i>95</i>	
	Examiner	Art Unit	
	Jesús D. Sotelo	3617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the amendment filed 9/14/2004.
2.  The allowed claim(s) is/are 1-36.
3.  The drawings filed on 15 July 2003 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 7/15/2003
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

## REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

With respect to claims 16, 17, and 36, applicant has invoked the conditions of 35 U.S.C. 112, sixth paragraph. The prior art does not disclose means for pivoting as specified in the specification, paragraph 43:

"components that function to pivot portions of the tower 106, 106'. In the embodiment illustrated in Figures 2 to 6, these components include the first member 202, the second member 212, and the pivot bolt 518 rotatably coupled to the opening 516 in the second member 212. In the embodiment illustrated in Figures 10 to 14b, these components include the first member 202', the second member 212', and the shaft 116 of the lock plate 1112 rotatably coupled in the opening 510 in the first member 202'."

The prior art also does not disclose means for locking as specified in the specification, paragraph 44:

"components that function to lock the pivoting portions of the tower 106, 106'. In the embodiment illustrated in Figures 2 to 6, these components include the spring 402 and the bolt 404, which is secured by the opening 406 in the first member 202 and slideably engages the corresponding opening 516 in the second member 212. In the embodiment illustrated in Figures 10 to 14b,

these components include the locking pins 1124 which are secured to the second member 212' and slideably engage the openings 1106 in the first member 202."

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Claims 1-36 are allowed.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jesús D. Sotelo whose telephone number is 703-308-2563. The examiner can normally be reached on Mon. - Fri. 6:00 AM -2:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samuel J. Morano can be reached on 703-308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Jesus D. Sotelo*  
Jesus D. Sotelo 10/12/04  
*Primary Examiner*  
*Art Unit 3617*  
CPK 5-6D16 ☺

sotelo;jds  
October 12, 2004